FARAD CONTINUATION SHEET NO:

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**APPELLATE SIDE**

WRIT PETITION NO.7407 OF 2006

| Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders. | Court's or Judge's orders. |
|---|---|

Mr.Madhav Jamdar for the petitioner.
Mr.Nitin P.Deshpande for respondent nos.1 and 5.

**CORAM: D.B.BHOSALE, J.**
**DATED: 9TH FEBRUARY, 2007**

**P.C.**:

. Heard learned counsel for the parties.

2. By this writ petition under Article 227 of the Constitution of India the petitioner has impugned the order dated 30.8.2006 by which his application at Exhibit-91 has been rejected. By that application he prayed for cancelling the affidavit filed by the respondent-plaintiff in lieu of examination-in-chief and to hold that he has no right to lead evidence. The prayer in the application is devoid of any merits and has rightly been rejected by the court below for the reasons stated in the impugned order. No interference is warranted by this Court. In the circumstances the writ petition is dismissed.

**(D.B.Bhosale, J.)**